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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,671	07/11/2001	Donald Zaff Rogers	DEP05507-RE	5452

7590

10/10/2002

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Washington, DC 20005

EXAMINER

NAKARANI, DHIRAJLAL S

ART UNIT	PAPER NUMBER
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1773

DATE MAILED: 10/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/901,671		Applicant(s) ROGERS, DONALD ZAFF	
Examiner D. S. Nakarani		Art Unit 1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hettich et al (U.S. Patent 4,769,290) in view of Austin (U.S. Patent 5,332,618) for the reasons of record set forth in paragraph no. 2 of the Office Action mailed March, 28, 2002 (paper no. 4).

In addition Hettich et al teach controlling layer thickness with an optical reflectance monitor (col. 2, lines 53-56). Therefore, Hettich et al's layer of high refractive index and low refractive index are deemed to be uniform thickness. Hettich et al are silent regarding coating substantially entire surface of the substrate. However, Austin suggest depositing on each surface of the glass sheet (i.e. substrate) a coating of high refractive index material such as titanium dioxide and a coating of low refractive index material such as SiO₂ (col. 5, lines 60-65). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of this invention made to utilize Austin's teaching to coat entire surface or each surface of substrate with alternating layers of high refractive index material and of low reflective index material.

3. Applicant's arguments filed June 28, 2002 have been fully considered but they are not persuasive.

In reference to rejection of claims under 35 USC§ 103(a) as being unpatentable over Hettich et al (U.S. Patent 4,769,290) in view of Austin (U.S. Patent 5,332,618) applicant mainly argue that neither references teach or suggest a multilayer thin film coating over substantially the

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entire surface as required by each independent claims and also references do not teach or suggest uniform or substantially uniform coatings.

These arguments are unpersuasive because Austin teaches coating each surface of glass sheet at col. 5, lines 60-65. Therefore, the limitation "coating over substantially the entire surface of the substrate" is met by Austin's disclosure of depositing coating on each surface of the glass sheet. In reference to "uniform" or "substantially uniform" coating, the present disclosure defines as the optical coating does not vary so much that some portions of the coating fail to reflect a portion of the incident visible light (col. 4, lines 12-18 of the present disclosure). The prior art of record requires monitoring and controlling an optical thickness of the coating, therefore the coating deemed to be uniform unless shown otherwise.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

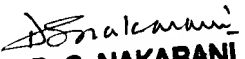
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is 703 308-2413. The examiner can normally be reached on Tuesday-Friday from 7:00 a.m. to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul J. Thibodeau can be reached on 703 308-2367. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-7718 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-0661.

Examiner Nakarani/ng
October 9, 2002


D. S. NAKARANI
PRIMARY EXAMINER